

## DECLARATION



#3

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first and joint inventors of the subject matter claimed and for which a patent is sought on the invention entitled "INTERFACE FOR EXCHANGING CONTEXT DATA," the specification of which was filed in the U.S. Patent and Trademark Office on October 19, 2000 and assigned U.S. Patent Application No. 09/692,507; and that this application in part discloses and claims subject matter disclosed in the earlier-filed Application No. 09/541,328, entitled "INTERFACE FOR EXCHANGING CONTEXT DATA," which was filed in the United States Patent and Trademark Office on April 2, 2000, U.S. Patent Application No. 09/541,326, entitled "LOGGING AND ANALYZING COMPUTER USER'S CONTEXT DATA," filed April 2, 2000 and U.S. Patent Application No. 09/216,193, entitled "METHOD AND SYSTEM FOR CONTROLLING PRESENTATION OF INFORMATION TO A USER BASED ON THE USER'S CONDITION," filed December 18, 1998.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to above.

We acknowledge our duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56(a), including material information which became available between the filing date of the prior application and the filing date of this application.

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of

willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

  
Kenneth H. Abbott

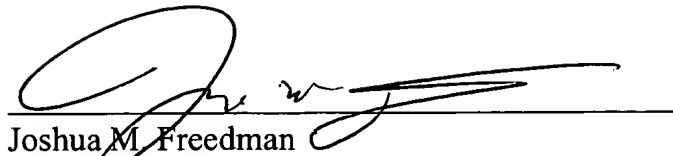
Date 3/16/2001

Residence : City of Kirkland  
State of Washington  
Citizenship : United States of America  
P.O. Address : 4216 107<sup>th</sup> Place NE  
Kirkland, Washington 98033

  
Steven J. Fluegel

Date 3/10/01

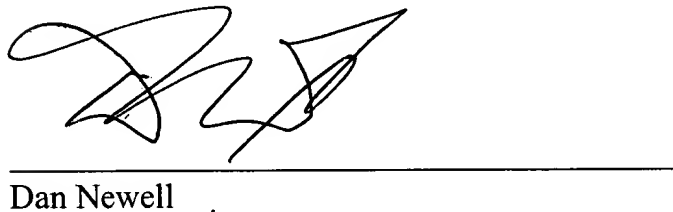
Residence : City of Hastings  
State of Minnesota  
Citizenship : United States of America  
P.O. Address : 2522 Old Bridge Lane  
Hastings, Minnesota 55033

  
Joshua M. FreedmanDate 3/16/2001

Residence : City of Mercer Island  
State of Washington

Citizenship : United States of America

P.O. Address : 3015 81<sup>st</sup> Place SE, #104  
Mercer Island, Washington 98040

  
Dan NewellDate 3/16/01

Residence : City of Medina  
State of Washington

Citizenship : United States of America

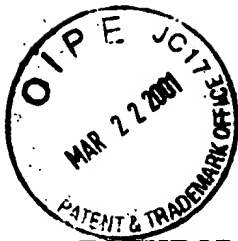
P.O. Address : 2623 Evergreen Point Road  
Medina, Washington 98039



James O. Roberts

Date 3/16/01

Residence : City of Redmond  
State of Washington  
Citizenship : United States of America  
P.O. Address : 17610 NE 31<sup>st</sup> Place  
Redmond, Washington 98052



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Kenneth Abbott et al.  
Application No. : 09/692,507  
Filed : October 19, 2000  
For : INTERFACE FOR EXCHANGING CONTEXT DATA

Docket No. : 294438005US1

Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73

AND POWER OF ATTORNEY

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, a copy of which is enclosed, hereby elects under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints JERRY A. RIEDINGER, Registration No. 30,582; MAURICE J. PIRIO, Registration No. 33,273; JOHN C. STEWART, Registration No. 40,188; MICHAEL D. BROADDUS, Registration No. 41,637; BRIAN P. MCQUILLEN, Registration No. 41,989; CATHERINE HONG TRAN, Registration No. 43,960; ROBERT G. WOOLSTON, Registration No. 37,263; PAUL T. PARKER, Registration No. 38,264; JOHN M. WECHKIN, Registration No. 42,216; CHRISTOPHER DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ, Registration No. 37,376; JAMES A.D. WHITE, Registration No. 43,985; EDWARD S. HOTCHKISS, Registration No. 33,904; STEPHEN E. ARNETT, Registration No. P-47,392; DAVINA L. CHILDS, Registration No. P-47,485; and

JAMES NICKELSON, Registration No. 46,140, of Perkins Coie LLP, as the principal attorneys with full power of substitution, association, and revocation to prosecute said application, to transact all business in the Patent and Trademark Office connected therewith, and to receive the letters patent therefor. Please direct all correspondence to Customer Number 25096.

Bar Code:



25096

PATENT TRADEMARK OFFICE

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Tangis Corporation filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Tangis Corporation

Mar 16 2001  
Date

\_\_\_\_\_  
Dan Newell  
CEO

SDL:jc

Enclosure:

Copy of Assignment

## ASSIGNMENT

WHEREAS, we, Kenneth Abbott, Steven J. Fluegel, Josh Freedman, Dan Newell, and James O. Roberts ("ASSIGNORS"), having post office addresses of 4216 107<sup>th</sup> Place NE, Kirkland, Washington 98033; 2522 Old Bridge Lane, Hastings, Minnesota 55033; 3015 81<sup>st</sup> Place SE, #104, Mercer Island, Washington 98040; 2623 Evergreen Point Road, Medina, Washington 98039; and 17610 NE 31<sup>st</sup> Place, Redmond, Washington 98052, respectively, are the joint inventors of an invention entitled "INTERFACE FOR EXCHANGING CONTEXT DATA," as described and claimed in the specification for which a continuation-in-part application for United States letters patent was filed on October 19, 2000 and assigned Application No. 09/692,507; this application is a continuation-in-part of U.S. Application No. 09/541,328, filed April 2, 2000, U.S. Patent Application No. 09/541,326 filed April 2, 2000 and U.S. Patent Application No. 09/216,193 filed December 18, 1998.

WHEREAS, Tangis Corporation ("ASSIGNEE"), a corporation of the State of Washington having a place of business at 1848 Westlake Avenue North, Seattle, Washington 98109, is desirous of acquiring the entire right, title, and interest in and to the invention and in and to any patents that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS hereby sell, assign, and transfer unto ASSIGNEE, its legal representatives, successors, and assigns, the entire right, title and interest in and to the invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations, or extensions thereof, any other inventions described in the application, and any and all patents of the United States of America and all foreign countries that may be issued for the invention, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from

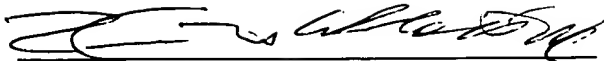
the United States application to which foreign applications are entitled by virtue of international convention, treaty or otherwise, the invention, application and all patents on the invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer, and sale not been made.

UPON THE ABOVE-STATED CONSIDERATIONS, ASSIGNORS agree to not knowingly execute any writing or knowingly do any act conflicting with this assignment, and upon request will schedule time, to be compensated at the assignors current billing rate and terms, or industry standard and terms, whichever is more favorable to the ASSIGNOR, at the expense of ASSIGNEE, execute all instruments and documents and do such additional acts as are reasonable and necessary to perfect ASSIGNEE's enjoyment of this grant, and render all reasonable and necessary assistance required for the making and prosecution of applications for United States and foreign patents on the invention, for litigation regarding the patents, or for the purpose of protecting title to the invention or patents therefor.

ASSIGNORS authorize and request the Commissioner of Patents and Trademarks to issue any Patent of the United States that may be issued for the invention to ASSIGNEE.




3/16/2001  
Date

  
Kenneth H. Abbott

State of Washington)  
County of King) ss.

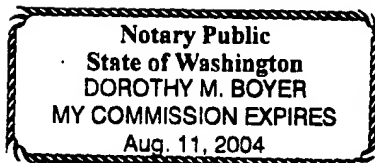
I certify that I know or have satisfactory evidence that Kenneth H. Abbott is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 16, 2001

Signature of  
Notary Public 

Printed Name Dorothy M. Boyer

My appointment expires August 11, 2004



March 10, 2001  
Date March 10

[Signature]  
Steven J. Fluegel

State of Minnesota )

County of De Kalb )

ss.

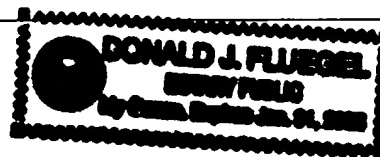
I certify that I know or have satisfactory evidence that Steven J. Fluegel is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 10, 2001

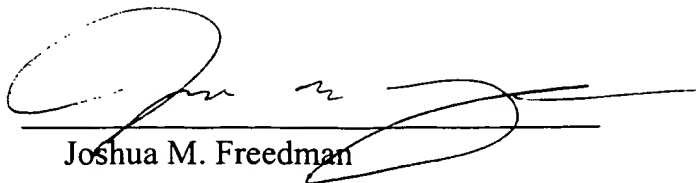
Signature of Notary Public [Signature]

Printed Name Donald J. Fluegel

My appointment expires \_\_\_\_\_



3/16/2001  
Date

  
Joshua M. Freedman

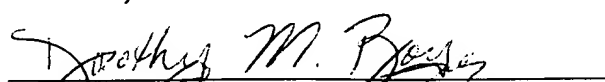
State of Washington)

County of King)

ss.

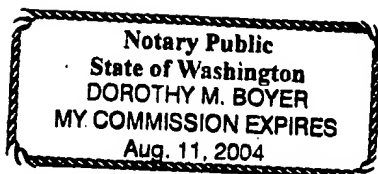
I certify that I know or have satisfactory evidence that Joshua M. Freedman is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 16, 2001

Signature of  
Notary Public 

Printed Name Dorothy M. Boyer

My appointment expires August 11, 2004



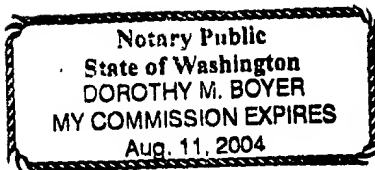
Mar 16 '01  
Date

[Signature]  
Dan Newell

State of Washington)  
County of King) ss.

I certify that I know or have satisfactory evidence that Dan Newell is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 16, 2001  
Signature of Notary Public [Signature]  
Printed Name Dorothy M. Boyer  
My appointment expires August 11, 2004



3/16/01  
Date

[Signature]  
James O. Robarts

State of Washington)  
County of King) ss.

I certify that I know or have satisfactory evidence that James O. Robarts is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 16, 2001

Signature of Notary Public [Signature]

Printed Name Dorothy M. Boyer

My appointment expires August 11, 2004

